

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KALVIN M. MCCULLOUGH,

Petitioner,

v.

JOHN RIVELLO, et al.,

Respondents.

CIVIL ACTION

NO. 21-5666

ORDER

AND NOW, this 21st day of May 2025, upon careful and independent consideration of the pleadings, (ECF Nos. 1, 13 and 17), the state-court record, the Report and Recommendation of United States Magistrate Judge Craig M. Straw, (ECF No. 29), and Petitioner's objections thereto, (ECF No. 41), it is hereby **ORDERED** that:

1. The objections are **OVERRULED**;
2. The Report and Recommendation is **APPROVED** and **ADOPTED**;
3. The Petition for a Writ of *Habeas Corpus* is **DENIED** and **DISMISSED**;
4. A certificate of appealability **SHALL NOT** issue, in that the Petitioner has not made a substantial showing of the denial of a constitutional right nor demonstrated that reasonable jurists would debate the correctness of the procedural aspects of this decision. *See* 28 U.S.C. 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000); and
5. The Clerk of Court shall mark this case **CLOSED** for statistical purposes.

BY THE COURT:

/s/ Gerald J. Pappert
Gerald J. Pappert, J.